

UNITED STATES MARINES IN NICARAGUA

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

IN RESPONSE TO SENATE RESOLUTION NO. 386, A REPORT BY THE
SECRETARY OF STATE RELATIVE TO THE MAINTENANCE OF
UNITED STATES MARINES IN NICARAGUA

FEBRUARY 17 (calendar day, FEBRUARY 21), 1931.—Read, referred to the Com-
mittee on Foreign Relations, and ordered to be printed

To the Senate of the United States:

In response to Senate Resolution 386 of January 5, 1931, I transmit herewith a report by the Secretary of State, inclosing a memorandum and copies of documents referred to therein.

HERBERT HOOVER.

THE WHITE HOUSE, *February 21, 1931.*

The PRESIDENT:

The undersigned, the Secretary of State, to whom was referred Senate Resolution 386, of January 5, 1931, reading as follows:

Resolved, That the Secretary of State be, and he is hereby, requested to transmit to the Senate all communications, documents, reports, and agreements, since 1924, or copies thereof, relating to the landing or maintenance of United States marines in Nicaragua; and all notes, communications, or agreements, or copies thereof, passing between the Governments of the United States and Nicaragua, concerning elections to be held in Nicaragua, the formation and training of the constabulary or native police of Nicaragua; the duties to be performed by said constabulary and by United States marines; the mode of compensating said constabulary and the amount thereof—

has the honor to inform the President that there are attached hereto, with a view to their transmission to the Senate should the President's judgment approve thereof, copies of all notes, communications, or agreements passing between the Governments of the United States and

Nicaragua concerning the elections in Nicaragua, the formation and training of the constabulary or native police in Nicaragua, the duties to be performed by said constabulary and by United States marines, and the mode of compensating said constabulary and the amount thereof.

There is also attached hereto a statement regarding the landing or maintenance of United States marines in Nicaragua since the present administration took office, together with copies of all communications, documents, reports, or agreements relating to the landing or maintenance of such United States marines in Nicaragua since the present administration took office.

The Secretary of State has the honor to inform the President after thorough consideration of the matter and an examination of the papers that he has reached the conclusion that it would not be compatible with the interests of the United States to furnish the papers relating to the landing or maintenance of United States marines in Nicaragua prior to the present administration. He will, however, be glad to go before the Foreign Relations Committee of the Senate in executive session with copies of all these documents should that be the desire of the Senate or of the Foreign Relations Committee.

HENRY L. STIMSON.

DEPARTMENT OF STATE,
Washington, D. C.

LANDING AND MAINTENANCE OF MARINES IN NICARAGUA

In January, 1929, there were 5,053 marines in Nicaragua and 164 Navy personnel, making a total of 5,217. This force was reduced until by December, 1929, there were 1,790 marines and 112 Navy, or a total of 1,902. By June, 1930, this force had been further reduced to 1,159 marines and 89 officers and men of the Navy, or a total of 1,248. At this time the strength of the Guardia Nacional was 2,176 and with it were serving 55 officers and 118 men of the marines aforesaid, and 7 officers and 23 men of the United States Navy Medical Corps.

Beginning in July, 1930, additional forces were sent to Nicaragua to assist in the conduct of the November elections. These men were not sent in to do police or other similar duty but to aid Captain Johnson in the conduct of the elections by serving as chairmen of departmental election boards and as chairmen of the electoral boards in the various precincts, for the counting of the ballots, and other similar electoral work. There were, therefore, in November, 1930, 1,896 marines and 443 officers and men of the Navy, or a total of 2,339 in Nicaragua. In December, 1930, these figures had been reduced to 1,435 marines and 80 Navy personnel, or a total of 1,515.

On January 31, 1931, there were in Nicaragua 66 marine officers and 982 men, or a total of 1,048; 13 officers and warrant officers of the Navy and 191 men, or a total of 204, making a total of 1,252 men. In addition, there were 59 marine officers and 101 men, or a total of 160 marines, acting as officers in the National Guard of Nicaragua, making a grand total of 1,412 officers and men of the Navy and Marine Corps in Nicaragua on that date. This includes the number of casualties who have been detached from duty and are awaiting transportation to the United States.

There are attached to this report copies of all communications, documents, reports, or agreements relating to the landing or maintenance of United States marines in Nicaragua since the present administration took office. These form Exhibits A to S.

NOTES, COMMUNICATIONS, OR AGREEMENTS, OR COPIES THEREOF
BETWEEN THE GOVERNMENTS OF THE UNITED STATES AND NICARAGUA
CONCERNING THE ELECTIONS TO BE HELD IN NICARAGUA

The long-sustained condition of disastrous civil war taking place in Nicaragua in 1926 and the early part of 1927 induced this Government to send former Secretary of War, Henry L. Stimson, to Nicaragua for the purpose of examining into the entire situation. Mr. Stimson, upon his arrival in Nicaragua, conferred with all parties concerned in the civil strife. After repeated discussion with the members of both parties, President Diaz, on April 22, placed in Mr. Stimson's hands a signed outline of the terms of peace to which he would agree, as follows:

- (1) Immediate general peace in time for the new crop and delivery of arms simultaneously by both parties into American custody.

- (2) General amnesty and return of exiles and return of confiscated property.

- (3) Participation in Diaz's cabinet by representative Liberals.

- (4) Organization of a Nicaraguan constabulary on a nonpartisan basis to be commanded by American officers.

- (5) Supervision of elections in 1928 and succeeding years by Americans who will have ample police power to make such supervision effective.

- (6) Continuance temporarily of sufficient force of marines to make foregoing effective for period thereafter.

These peace offers by President Diaz materialized in the so-called Tipitapa agreements, set forth in Exhibits 1 to 4 to this communication.

Shortly after the suspension of civil strife which followed the consummation of the Tipitapa agreements, President Diaz addressed a communication to President Coolidge on May 15, 1927, pointing out the steps which the Government of Nicaragua considered desirable and appropriate in order that the elections might be supervised by the United States. This letter and its enclosure are attached hereto as Exhibit 5.

On June 10, 1927, President Coolidge replied and his note forms Exhibit 6.

In order to carry out the terms made with the Nicaraguan Government and the Liberal Party in Nicaragua as set forth above, it was deemed necessary to establish a commission to supervise the 1928 presidential elections and that the chairman of this commission should be an American nominated by the President of the United States and appointed by the President of Nicaragua. The President nominated Gen. Frank R. McCoy for this position. Under his supervision the electoral machinery was revised, the registration of voters effected, and the elections were held in November, 1928, which resulted in the election of Gen. José Maria Moncada. The elections were conceded by all parties in Nicaragua as being unquestionably free and fair.

Prior to the holding of the elections the two opposing candidates, Gen. José Maria Moncada, of the Liberal Party, and Señor Don Adolfo Benard, of the Conservative Party, exchanged communications whereby they mutually pledged themselves that whichever party should be victorious, the cooperation of the United States Government in the supervision of the next elections in the same manner provided by the Tipitapa agreements would be requested. Copies of these communications will be found attached hereto as Exhibits 7 and 8.

Shortly after his inauguration on January 1, 1929, President Moncada informed the American minister of his intention to ask this Government to designate an American who, upon appointment by the Supreme Court of Nicaragua, should serve permanently as chairman of the Nicaraguan National Board of Elections, in preparation for probable American participation or control over the national elections in 1932. This informal conversation was supplemented by a formal note to the American legation from the Nicaraguan Minister of Foreign Affairs dated February 12, 1929, which is attached hereto as Exhibit 9.

In response to this communication the department informed President Moncada that before reaching a definite decision it desired more complete information regarding the facilities which would be accorded the American chairman of the national board of elections, and pointing out that it would be necessary that the existing electoral law should be amended in certain particulars. President Moncada indicated his concurrence in the department's views. Copies of the communications exchanged to this effect are attached hereto as Exhibits 10 and 11.

In compliance with President Moncada's request for the assistance of the Government of the United States in the conduct of Nicaraguan elections, as set forth in the note of February 12, 1929, and in view of the disinclination of leaders of the Conservative Party to participate in the very important congressional elections to be held in 1930 unless those elections should be supervised by the United States, the President in May, 1930, designated Capt. Alfred Wilkinson Johnson, United States Navy, for appointment by the Nicaraguan Supreme Court as president of the national board of elections.

Captain Johnson proceeded shortly thereafter to Nicaragua, and the elections were held on November 2, 1930. These elections also were recognized by all parties in Nicaragua as being freely and fairly conducted. In this connection the department's telegram No. 39, of May 8, 1930, 7 p. m., is attached hereto as Exhibit 12.

NOTES, COMMUNICATIONS, AND AGREEMENTS BETWEEN THE GOVERNMENTS OF THE UNITED STATES AND NICARAGUA CONCERNING THE FORMATION AND TRAINING OF THE CONSTABULARY OR NATIVE POLICE OF NICARAGUA; THE DUTIES TO BE PERFORMED BY SAID CONSTABULARY AND BY THE UNITED STATES MARINES; THE MODE OF COMPENSATING SAID CONSTABULARY AND THE AMOUNT THEREOF

One of the principal terms of the peace agreed to between the Nicaraguan Government (Conservatives) and the opposition (Liberals) proposed by President Diaz in April, 1927, was "the organization of a Nicaraguan constabulary on a nonpartisan basis, commanded by American officers." This matter was also covered in

the Tipitapa agreements mentioned above and in President Diaz's letter to President Coolidge of May 15, 1927, likewise referred to above.

In May, 1927, President Diaz requested the appointment of an American officer to instruct and command the Nicaraguan constabulary. This was immediately agreed to by President Coolidge. Correspondence regarding this matter is attached hereto as Exhibits 13, 14, 15, and 16.

On May 12, 1927, a colonel of the Marine Corps was appointed as director in chief of the Nicaraguan National Guard. The work of organization, enlistment, and training immediately began. The Guardia Nacional de Nicaragua as it exists to-day was developed during the following months. By August, 1927, the first newly trained detachment of the Nicaraguan constabulary entered upon active duties outside of Managua.

The terms of an agreement for the establishment and maintenance of the Guardia Nacional de Nicaragua were drawn up and the agreement was signed at Managua on December 22, 1927, by the American chargé d'affaires at Managua and the Nicaraguan minister of foreign affairs. It provided for:

(1) The creation of a Guardia Nacional of 93 officers and 1,136 enlisted men, or a total of 1,229 officers and men at a cost of \$689,132 per annum.

(2) The guardia to be considered the sole military and police force of the Republic and to have control of arms, ammunition and military supplies, forts, prisons, etc., throughout the Republic, subject only to the direction of the President of Nicaragua.

A copy of this agreement is attached to this report as Exhibit 18.

This agreement was approved by the Nicaraguan Senate on January 10, 1928. The Chamber of Deputies, however, delayed approval of the bill for more than a year. The agreement was finally amended and passed by both Houses of the Nicaraguan Congress on February 19, 1929, and was approved by President Moncada. The alterations do not affect the number of officers or men nor the expenses of the guardia, but have to do with certain matters of administration, and these alterations have not been accepted by the Department of State.

In order to cope with the bandit situation existing principally in the north central portion of Nicaragua and in the provinces of Nueva Segovia, Esteli, Jinotega, and Matagalpa, the Guardia Nacional was increased by the Nicaraguan Government above the total personnel of 1,229 officers and enlisted men, mentioned in the agreement of December 22, 1927, until, with the addition of 200 men especially enlisted for a short period, the guardia, in October, 1930, included total personnel numbering 2,459, an increase of 100 per cent over the number envisioned in the original agreement. Furthermore, the total annual cost of the guardia, in view of this expansion in numbers, grew to a total of \$1,116,000.

In view of the economic depression through which Nicaragua is at present passing and the resulting decrease in Governmental revenues, the Government of Nicaragua has expressed the desire to cut down the cost of the guardia.

Besides other steps of retrenchment, the Nicaraguan Government in July, 1930, reduced the salaries actually paid to all Governmental

employees in an ascending scale from 5 per cent on salaries of \$20 or less to 20 per cent on salaries of \$100 or more. The Nicaraguan Government desired to extend this reduction to officers of the guardia. This Government could not consent to a reduction in the salaries of officers who had gone to Nicaragua on the basis of a stipulated salary but did consent on November 24, 1930, to a reduction in the pay of officers joining the guardia in the future. The reduced scale is as follows:

	Agreement of Dec. 22, 1927	As consented to Nov. 24, 1930		Agreement of Dec. 22, 1927	As consented to Nov. 24, 1930
Director in chief.....	\$3,000	\$3,000	Majors.....	\$2,100	\$1,800
Chief of staff.....	2,500	2,100	Captains.....	1,800	1,500
Colonels.....	2,400	2,100	First Lieutenants.....	1,200	1,080

At the same time the department consented that the Nicaraguan Government might reduce the total number of officers and enlisted men in the guardia to 1,810 (160 officers and 1,650 enlisted men) at a total cost of \$854,652. Both figures are well in excess of those provided by the agreement of 1927. At the same time the department stated that it could consent to no reduction whatsoever in the personnel of 1,000 enlisted men and 72 officers of the guardia serving in the bandit-infested region. All reductions in personnel were to be made in the forces policing the tranquil portions of the country.

The figures given above may be summarized as follows:

	Guardia agreement of 1927	Peak, Octo- ber, 1929	Reduction consented to Nov. 24, 1930
Total personnel.....	1,229	2,459	1,810
Annual expenses.....	\$689,132	\$1,116,000	\$854,652

A copy, in translation, of President Moncada's letter to General McDougal setting forth the above understanding is attached hereto as Exhibit 17.

Since the regrettable killing of eight marines at the first of the year, President Moncada took the initiative to raise additional funds to permit an increase in the guardia in the bandit infested area and also, among other things, for road construction work in the same section in order to help military operations. As a result, he has obtained an advance of approximately \$1,000,000 to increase the guardia by approximately 500 men. He has agreed to contribute an extra \$15,000 per month to the guardia for the maintenance of the additional 500 men, plus an initial contribution of \$20,000 for their equipment. Moreover, he has agreed to increase by \$2,000 per month the funds supplied for the expenses of the training school for native officers in the guardia. With this expansion it should be possible to train and prepare sufficient Nicaraguan officers in order that all American officers in the guardia may be completely replaced by Nicaraguan officers after the Nicaraguan elections of 1932.

As a further military measure, President Moncada has stated his intention of devoting approximately \$13,000 per month for road building in the Segovias (the bandit area), to support and carry out the operations against the bandits, to furnish employment for the population in that area, and to furnish an outlet for the economic development thereof.

This arrangement also contemplates that the guardia will have taken over the situation in the bandit areas by June 1, 1931, and that the present detachments of approximately 600 marines stationed outside of Managua, principally at Ocotal and Matagalpa, will have been withdrawn and their function taken over by the new force of the guardia by that date. Preparations are being made so that all the marines, including those serving as officers in the guardia, may be withdrawn from Nicaragua after the elections of 1932.

EXHIBIT A

Telegram from the American Minister, Managua, Nicaragua, to the Secretary of State

MARCH 17, 1929—10 A. M.

No. 72.

Brigade headquarters reports that on March 14 marine patrol encountered a group of bandits at Department of Chinandega, two miles west of San Juan de Limay. One bandit killed. On March 15th combined marine and voluntario force encountered bandits in the same vicinity killing four and capturing three. No marine or voluntario casualties. Marines believe that bandits constituted Salgado's main group and that they crossed into Honduras about March 16th.

Repeated to Tegucigalpa.

EXHIBIT B

Telegram from the American Minister, Managua, Nicaragua, to the Secretary of State

APRIL 8, 1929—11 A. M.

No. 90.

The Legation has been informed that the United Press on April 6th misquoted President Moncada as requesting withdrawal of marines and stating that his Government has not requested American assistance.

In this connection President Moncada has to-day issued the following statement to the press:

I have been informed that following an interview on April 6th with American newspaper men I was quoted as having asked for the withdrawal of the American marines from Nicaragua with the exception of a few officers needed to train the Guardia; and that I was further quoted as having said that my Government had never requested aid from the United States.

The above quotations are not strictly accurate. During the interview referred to I spoke of the excellent work being done by General Douglas C. McDougal as Chief of the Guardia Nacional and expressed my hope in that connection that the Guardia with American officers would be before very long strong enough to permit the withdrawal of the main body of marines. That, I understand, is the hope of the American Government as well as of my own.

I did not say that the Nicaraguan Government had not requested the assistance of the United States. In reply to a question I stated that it was not the present Liberal Government but the Conservative Government which went out of office in December of last year which requested American assistance; nevertheless, I added, the present Government is dedicated to the reestablishment of order and to the correction of evils of government. I wish to add at this time that my Government sincerely appreciated the assistance which the United States has been able to render in that connection.

EXHIBIT C

Telegram from American Minister at Managua, Nicaragua, to the Secretary of State

APRIL 17, 1929—11 A. M.

No. 108.

The following on the military situation:

Brigade commander reports that the dispersal of the Salgado and Sanchez groups has been confirmed and that other chiefs including Maldonado, Gomez, Gonzalez, and Escalante are abandoning operations. Three other colonels have been granted amnesty by Honduras. Ortey is in Honduras and Sandino is believed to be there. Altamirano and a few very small groups are being hard pressed. In general the military situation is excellent.

Brigade commander expressed hope at weekly conference yesterday that a gradual reduction of from five hundred to one thousand marines might be possible by July. He said that the exact number would of course depend on the bandit situation and the development of the Guardia.

Mobile battalion of two hundred Guardia is on its way to Jinotega. It will operate in the Pena Blanca area in groups of fifty.

McDougal is taking measures to stimulate recruiting in the Guardia.

Dunlap and McDougal have been ordered to Corinto to confer with Admiral Sellers who arrived there last night. General Williams is reported due at Corinto today. Admiral Sellers does not intend to visit Managua.

EXHIBIT D

Telegram from American Minister at Managua, Nicaragua, to the Secretary of State

APRIL 19, 1929—4 P. M.

No. 114.

Reference Legation's 6 January 3, 4 p. m. and 108 of April 17, 11 a. m. last paragraph.

Admiral Sellers following conference in Corinto with General Williams, Colonel Dunlap and Colonel McDougal sent me a memorandum expressing his intention to recommend to the Navy Department a further reduction in the Marine forces in Nicaragua of approximately 800 men and a corresponding number of officers.

I called upon the President this morning accompanied by General Williams, Colonel Dunlap, Colonel McDougal and Mr. Beaulac and left President Moncada a copy of the Admiral's memorandum

expressing at the same time my concurrence. President Moncada stated that the memorandum also met with his approval. I explained to him that the reduction would probably be gradual and would be effected by July first, stressing the fact that this would depend of course upon the military situation and the development of the Guardia. He concurred in this. Admiral Sellers is being advised through the Brigade Commander.

EXHIBIT E

Telegram from the American Minister, Managua, Nicaragua, to the Secretary of State

APRIL 19, 1929—NOON.

No. 113.

General Williams reached Managua last night and was officially presented to the President this morning.

EXHIBIT F

Despatch from the American Minister, Managua, Nicaragua, to the Secretary of State

APRIL 20, 1929.

No. 959.

I have the honor to refer to my telegram No. 114 of April 19 (4 p. m.) and to enclosed copy of Admiral Seller's letter of April 18, 1929, and of his memorandum upon which my conversation with the President was based, and a copy, of which, I left with him.

U. S. SPECIAL SERVICE SQUADRON,
U. S. S. "GALVESTON," FLAGSHIP,
Corinto, Nicaragua, 18 April, 1929.

MY DEAR MR. EBERHARDT: I arrived at Corinto this morning in the *Galveston* for a conference with Colonel Dunlap and Colonel McDougal relative to the general situation in Nicaragua as regards present and future military operations.

You may recall that on January 3rd, last, at a conference with President Moncada you handed him a memorandum prepared by me which outlined the future military policy of the United States in Nicaragua and in which it was stated among other things, that the Squadron Commander proposed to recommend to the Navy Department a reduction in the number of marines on shore in Nicaragua to 3,500 with the appropriate number of officers and exclusive of the aviation detachment.

You may also recall that the aforesaid memorandum drew attention to the fact that it was assumed that the Nicaraguan Government fully appreciates the fact that the United States forces can not be counted on to maintain order in Nicaragua for an indefinite time,

that the obligation to maintain order in the future rests squarely upon the Nicaraguan Government, and that the Nicaraguan Government will take prompt steps to strengthen and build up the Guardia Nacional in order that the marines may be relieved of this duty at the earliest practicable date.

It seems to me that following out the policy as outlined above and which has met with the approval of President Moncada, that the time is approaching when we can reasonably expect to effect a further reduction in the number of marines employed in Nicaragua. On July 1st next, it will be eight months since the election was held, and although Sandino and other bandit chiefs are still at large and are potential sources of trouble, the bandit situation is so measurably improved that I believe we are justified in recommending a reduction to take place about that time.

The whole military situation has been thoroughly discussed with Colonel Dunlap, the Brigade Commander, and Colonel McDougal, the Chief of the Guardia Nacional, and I have reached the conclusion that we can safely recommend a reduction in the number of marines to 2,500 with the corresponding quota of officers, the aviation detachment to remain at its present strength.

I shall therefore be much indebted to you if you will arrange for a conference with President Moncada in order that the Brigade Commander may present my views and discuss with him the future military policy to be pursued in Nicaragua.

It is of course unnecessary to state that I shall make no recommendation to the Navy Department until after I am informed of the result of the conference.

Very sincerely yours,

D. F. SELLERS.

Memorandum of Admiral Sellers, U. S. N.

U. S. SPECIAL SERVICE SQUADRON,
U. S. S. "GALVESTON," FLAGSHIP.

The Commander of the Special Service Squadron proposes to recommend to the Navy Department that the strength of the Marine Brigade in Nicaragua be further reduced by the detachment of approximately 800 men and the corresponding number of officers. No reduction in the present strength of the aviation detachment is recommended.

This recommendation is in accordance with the military policy of the United States as outlined in the memorandum furnished President Moncada at a conference held on January 3, 1929, and to which the President agreed. It is prompted at this time by the excellent results that have obtained by the combined operations of the Marines, the Guardia Nacional, and the Voluntarios and the belief that the time is rapidly approaching when the activities of the Marines can be confined to protecting American and foreign lives and property, leaving the preservation of order to the Guardia Nacional.

If the proposed reduction is effected there will be approximately 2500 Marines left in Nicaragua exclusive of the aviation detachment.

EXHIBIT G

Telegram from American Minister at Managua, Nicaragua, to the Secretary of State

APRIL 29, 1929—3 P. M.

No. 122.

Orders issued for discontinuance of all marine posts on the Coco River from the Poteca River eastward. Several other posts in the eastern area also being abandoned. Fifteen officers and two hundred and fifty men being withdrawn tomorrow on the transport *Bridge*. It is anticipated that by July 1st marine forces will be reduced to twenty-five hundred regular forces and three hundred aviation.

EXHIBIT H

Despatch from the American chargé d'affaires ad interim, Managua, Nicaragua, to the Secretary of State

MAY 10, 1929.

No. 983.

I have the honor to transmit herewith a copy of a memorandum, dated May 6, 1929, from the Commander of the Second Brigade, U. S. M. C., regarding the military situation in Nicaragua on that date.

Memorandum for American Minister

UNITED STATES MARINE CORPS,
HEADQUARTERS SECOND BRIGADE,
Managua, Nicaragua, 6 May, 1929.

PRESENT PERSONNEL SITUATION

The strength of the forces ashore at present is about 3100, exclusive of Aviation. It is the present intention of the Commanding General in accordance with recommendations submitted by the Admiral to the Navy Department to effect a further gradual reduction between now and July 1st of about 600. No reduction of Aviation is contemplated prior to July 1st but East Coast Aviation will be returned to Managua by June 1st.

In Eastern Area all stations have been ordered discontinued except Puerto Cabezas, Bluefields, El Gallo and the mining detachments in the La Lux and Pis Pis areas.

Several Southern Area stations have been discontinued.

Several Northern Area stations are being taken over by Guardia.

Bluefields at present has 6 officers and 53 Guardia and the Guardia is sending an experienced and capable field officer to that place to-day. Bluefields is the Headquarters of Guardia in the Eastern Area and very shortly it is planned to take Marines away from that place.

It is believed that all changes will be effected and reductions contemplated will be made without embarrassment to anyone concerned.

GUARDIA SITUATION

The Guardia Nacional shows continued and what is believed to be lasting improvement.

The energetic measures taken by General McDougal and his appreciation of what the true role of the Guardia should be, has contributed greatly to our recent successes.

VOLUNTEER FORCES

Fifty Volunteers were mustered out about a month ago.

The Plata group will be mustered out within the next few days.

The Flores group will be mustered out before the end of the month.

When the Plata group is mustered out about 150 Volunteers will remain. It is believed that the complete mustering out of the Volunteers will be accomplished prior to June 30th.

When the above is accomplished steps should be taken by those concerned to have the decree on martial law put out of force.

The Volunteers have done good work. The work has been of such a nature that Volunteers were more suitable for it than Guardia or Marines.

There was little abuse of authority and but 4 bandits were executed in the field.

PRESENT MILITARY SITUATION

The military situation can be said without fear of contradiction to be excellent, and this country has never been in such a peaceful state.

There are but two organized bands in existence at present, Ortez' and Altamirano's.

Ortez has been and is still in Honduras with a small band of about 30 men.

Altamirano's band has suffered considerably in the last few weeks. Several members of his band have been captured and killed and some were executed.

It is not believed that there is any organized group in alliance with Sandino at present, or that any bandits are in the field for Sandino patriotic motives.

It is fairly certain that Sandino is out of this country and his exit will most certainly result in the loss of any remaining prestige he might have had.

There are a few small groups in and around Telpaneca who assemble often, commit a few minor depredations and then disperse. They are Liberals and being such are difficult to apprehend.

It should be realized that it will be very difficult to stamp out all banditry. There has always been banditry in Nicaragua as there is in other Central American countries.

CONCLUSION

The military situation at present is such as to be susceptible of little improvement.

(S) DION WILLIAMS,
Brigadier General, U. S. Marine Corps.

EXHIBIT I

Telegram from the American chargé d'affaires ad interim, Managua, Nicaragua, to the Secretary of State

No. 154.

JUNE 4, 1929—2 P. M.

The bandits have been committing depredations in the Matagalpa area since June one. They raided the hacienda of William Hawkins, an American, on June one but were driven off by the Guardia, one bandit being killed. They raided the hacienda of Harry Trewin, a British subject, on June two. These haciendas are approximately fifteen miles from Matagalpa. Mr. Alexander Sullivan, an American citizen, and his niece were reported to be in danger on his hacienda and a strong patrol of marines were despatched to escort them to Matagalpa.

Twenty property owners of various nationalities including Americans have telegraphed to President Moncada requesting him to "take energetic measures, not taken up to now, to protect them in this terrible situation" and have furnished the Legation with a copy of the telegram. The British Chargé d'Affaires here is disturbed by the occurrence and has conferred with General Williams and me concerning measures that may be taken to insure the safety of numerous British subjects in that region.

General Williams sent Colonel Backstrom to Matagalpa today to take charge of the situation. The marine forces in that area have not been reduced recently and General Williams says that they will be increased if necessary to meet the situation adequately.

EXHIBIT J

Telegram from the American Chargé d'Affaires ad interim to the Secretary of State

No. 193.

JULY 17, 1929—4 P. M.

Admiral Campbell arrived here July 13th and will leave tomorrow. Under his orders from the Navy Department he has conferred with Generals Williams and McDougal and the Legation, and has recommended by telegram to the Navy Department the withdrawal of twelve hundred enlisted marines and a proportionate number of officers. He recommended no reduction in aviation at this time. His recommendation is based on the assumption that the Guardia will be kept at present strength of two thousand enlisted (*). General Williams concurs.

I regret that I cannot concur in the foregoing. The proposed withdrawal is a fifty per cent reduction in marine forces now in Nicaragua exclusive of aviation, and the percentage of reduction in marines available for active field work in the disturbed regions is still greater. There are now approximately seven hundred Guardia in those regions and General McDougal says he can increase only to approximately eight hundred, and that only about one half of this force can be on active field work at one time. The consensus of opinion in Nicaragua appears to be that there is but little if any improvement in the military situation as compared with a year ago. The political situation is becoming

increasingly acute with the probability of increased disturbance as a natural result. I believe there is grave danger that any reduction of marines at this time however small would stimulate discontented elements and be followed by increased disturbance involving outrages on Americans and other foreigners and their interests in Nicaragua. I therefore recommend that no reduction be made in the existing marine forces until the situation has materially improved.

The Legation is making every effort to prevent the nature of the conferences with Admiral Campbell from becoming public here because I think that the mere knowledge that a reduction is being discussed would have unfortunate consequences.

I have given a copy of this telegram to Admiral Campbell and General Williams.

EXHIBIT K

Paraphrase of cablegram from Commander of Special Service Squadron to Secretary of Navy

No. 0017.

[Undated] Received JULY 19, 1929.

It is his opinion, after a careful survey of existing conditions in Nicaragua, that the military situation warrants the withdrawal of 1200 enlisted marines and a corresponding number of officers and he recommends the above reduction and states the basis of this recommendation is that the Guardia Nacional will not be decreased below its present strength of approximately 2000 enlisted men. He adds that the status of the Guardia Nacional is uncertain as there is no appropriation for it in the regular budget. The American Chargé d'Affaires does not concur in the above recommendation and a separate recommendation will be submitted by him to the State Department. To bring about this reduction the Brigade Commander recommends that one battalion of the 11th Regiment, strength of 500 men, be withdrawn as a unit; that the 11th Regiment be then disbanded, and the remaining battalion be transferred to the 5th Regiment, as this method would serve to meet the military situation with one battalion on the Salvadors, one battalion in the northern area and one battalion in Matagalpa. Detachments from the 5th Regiment would then be effected by a further reduction of 700 enlisted men and a corresponding number of officers. The Second Brigade, after this reduction, would consist, exclusive of Aviation and Naval Medical, of Brigade Headquarters, Brigade Headquarters Company and the 5th Regiment. He considers it inadvisable to make a reduction in the aviation force until after the reduction has been completed and the extent of reduction in aviation force will be considered at that time. He requests information as to whether the above recommendation is approved and if so would like to be informed as to means of transportation to be furnished and dates available.

EXHIBIT L

Despatch from the American chargé d'affaires ad interim to the Secretary of State

AUGUST 22, 1929.

No. 1127.

In accordance with orders from the Navy Department received by the Brigade Commander on July 24, 1929, calling for the withdrawal from Nicaragua of 1200 enlisted marines and a proportionate number of officers, I have the honor to inform the Department that the United States Navy Transport *Henderson* sailed from Corinto on August 21, 1929, for New York with 732 enlisted marines and 18 officers. It is stated that the remainder of the allotted 1200 men and corresponding number of officers will sail for the West Coast of the United States shortly.

The departure of this considerable contingent of marines was effected quietly. Most of them left in a special train from Managua. Among the officers leaving was Colonel Robert Dunlap, until his departure Commander of the Northern Area of Nicaragua, who has rendered exceptional and notable service to Nicaragua in suppressing banditry. The Sub-Secretary of Gobernación and his wife, who are personal friends of Colonel Dunlap, went to the station to see the marines leave; otherwise no official notice of their departure by the Government of Nicaragua was observed. The newspapers, likewise, failed to comment.

Brigade Headquarters advises that of the 1300 enlisted marines who will remain for the present in Nicaragua one battalion of about 400 are in Ocotal, a second battalion of about 400 are in Matagalpa, and a third battalion of about the same number are in Managua. The entire aviation command, which has not been reduced so far, is concentrated in Managua.

The Guardia distribution outside of Managua is as follows: Eastern Area comprising the Department of Bluefields, 257 men and officers; Western Area comprising the Departments of Leon and Chinandega, 218 men and officers; Southern Area comprising the Departments of Granada, Carazo, Chontales, Masaya and Rivas, 311 men and officers; Northern Area comprising the Departments of Nueva Segovia and Esteli, 609 men and officers; Central Area comprising the Departments of Jinotega and Matagalpa, 414 men and officers.

EXHIBIT M

Paraphrase of cablegram from commander of Special Service Squadron to Secretary of Navy of December 18, 1929

After a careful survey of present conditions in Nicaragua the following recommendation which has been concurred in by the Charge d'Affaires and Acting Jefe Director of the Guardia Nacional is made; that no change be made in strength of naval forces ashore in Nicaragua for at least three months. A further recommendation will be made at the end of this period.

EXHIBIT N

Telegram from Acting Secretary of State to American minister at Managua, Nicaragua

MARCH 5, 1930—4 P. M.

No. 24.

President desires a further reduction in the marines now in Nicaragua. Navy Department is sending radio to Admiral Campbell due shortly Managua to expedite investigation of the situation and report regarding the number of marines to be taken out at this time. Please cooperate with him and the Brigade Commander to expedite a report so that statement may be made promptly of the further reduction of the marine forces.

EXHIBIT O

Telegram from the American charge d'affaires ad interim, Managua, Nicaragua, to the Secretary of State

MARCH 19, 1930—4 P. M.

No. 40.

Admiral Campbell has recommended to the Navy Department a reduction of marine forces ashore to a battalion of 44 officers and 701 enlisted men plus attached medical unit of 8 officers and 50 enlisted men one chaplain and the present aviation force of 23 officers and 183 enlisted men. Total naval force remaining will be 75 commissioned and 934 enlisted. Total reduction will amount to 69 officers and 647 enlisted, the reduction to be made gradually as opportunities are presented during the next three months. I concur in this recommendation.

EXHIBIT P

Paraphrase of cablegram from commander of Special Service Squadron to the Secretary of the Navy, dated March 19, 1930

In view of present conditions the reduction of United States Navy forces on shore in Nicaragua to marine battalion of 701 enlisted men and 44 officers is considered warranted. This recommendation was made in paragraphs 9 and 12 of the letter of August 28, 1929, from the Commander of the 2nd Brigade to the Navy Department forwarded by the Commander of the Special Service Squadron, endorsed September 3, 1929, with attached to medical unit 50 enlisted men and 8 officers, chaplains and attached aviation force of present strength 183 enlisted and 23 officers making a total naval force remaining of 934 enlisted men and 75 officers. It is recommended that this reduction of 647 enlisted men and 69 officers be made and that it be done gradually as opportunity permits during the next three months. It is proposed that the marines be distributed approximately as follows. 200 Northern Area; 150 Matagalpa Area District; and 350 Managua District. It is recommended that no reduction be made in aviation forces at the present time. The Chargé d'Affaires, the Director of Guardia Nacional and the Commander General 2nd Brigade have concurred in these recommendations.

EXHIBIT Q

Admiral Campbell, commanding Special Service Squadron, recommends, March 19, 1930

Reduced to—

Marine Battalion, 44 officers, 701 enlisted men.

(See Pars. 9 and 12 of Comdr. 2nd Brigade ltr. under Comspecron 1st end. of 3 Sept. 1929)

Medical Navy, 8 officers, 50 enlisted men.

Aviation & Chaps., 23 officers, 183 enlisted men.

Total, 75 officers, 934 enlisted men.

This reduction of 69 officers, 647 enlisted men, to be made gradually in next 3 months as opportunity permits

Distribution then—

Managua district.....	350
Matagalpa Area Dist.....	150
Northern Area Dist.....	200
Av'n. forces 15 officers, 185 enlisted.	

EXHIBIT R

Telegram from Acting Secretary of State to American Minister at Managua, Nicaragua

MARCH 31, 1930—5 P. M.

No. 31.

The Department has informally requested the Navy Department to endeavor to leave in Nicaragua, so far as possible, marines who speak Spanish, so that their services may be available should it be decided to supervise the next elections. It is understood that the Navy Department is communicating this request to the Brigade Commander, and the Department desires that you should discuss the matter informally with him, with a view to obtaining his cooperation. It is estimated that the assistance of four or five hundred marines will be required as precinct chairmen, et cetera.

EXHIBIT S

LETTER FROM THE SECRETARY OF STATE TO THE SECRETARY OF THE NAVY, DATED JANUARY 22, 1931.

I feel that we should be in a position, after the Presidential elections in Nicaragua in 1932, to withdraw all our marines from the country, should this Government at that time decide that that is the wise thing to do. It is my understanding that the Navy Department feels that marines should be maintained in Nicaragua while American officers are serving in the Guardia Nacional of Nicaragua. Therefore, in order that there may be no obstacle to the complete withdrawal of our marines from Nicaragua after the 1932 elections, I want to ask you to issue instructions to the Commander of the Guardia Nacional to devote special attention to the training up of

Nicaraguan officers so that we may be in a position, should that then be the decision of this Government, to turn over the whole Guardia force to Nicaragua upon the installation of the new Government on January 1, 1933. I think it should be impressed upon the Commander of the Guardia that that is the objective to which he should work and should devote his energies.

EXHIBIT 1

TIPITAPA, May 4, 1927.

General JOSE MARIA MONCADA, *Tipitapa*.

DEAR GENERAL MONCADA: Confirming our conversation of this morning, I have the honor to inform you that I am authorized to say that the President of the United States intends to accept the request of the Nicaraguan Government to supervise the election of 1928; that the retention of President Diaz during the remainder of his term is regarded as essential to that plan and will be insisted upon; that a general disarmament of the country is also regarded as necessary for the proper and successful conduct of such election; and that the forces of the United States will be authorized to accept the custody of the arms of those willing to lay them down, including the Government, and to disarm forcibly those who will not do so.

Very respectfully yours,

(Signed)

HENRY L. STIMSON.

EXHIBIT 2

TIPITAPA, NICARAGUA, May 11, 1927.

General JOSE MARIA MONCADA, *Tipitapa*.

DEAR GENERAL MONCADA: I am glad to learn of the authority that has been placed in you by your army to arrange for a general disarmament. I am also glad to make clear to you and to your army the attitude of the President of the United States as to this matter. In seeking to terminate this war, President Coolidge is actuated only by a desire to benefit the people of Nicaragua and to secure for them a free, fair and impartial election. He believes that only by such free and fair elections can permanent peace be secured for Nicaragua. To insure this in 1928 he has consented to the request that American representatives selected by him shall supervise the election. He has also consented to assign American officers to train and command a non-partisan national constabulary for Nicaragua which will have the duty of securing such a fair election and of preventing any fraud or intimidation of voters. He is willing to leave in Nicaragua until after the election a sufficient force of marines to support the work of the constabulary and insure peace and freedom at the election.

As further evidence of good faith of the American Government and of the present Nicaraguan Government in this matter, I am glad to tell you what has already been done. It will answer the questions contained in the letter of your soldiers which you have shown me. General amnesty has already been granted by the President of Nicaragua. I have recommended to President Diaz that the Supreme

Court be reconstituted by the elimination of the illegal judges placed in that court under Señor Chamorro. President Diaz has already called upon those judges for their resignations and I believe that those resignations will be obtained. I have already advised that the Congress be reconstructed by the holding of special elections in those Liberal districts where elections were not held in 1926 under conditions which will insure that the Liberal voters will be amply protected in their rights. I have also recommended that members of the Congress illegally expelled by Señor Chamorro whose terms have not yet expired be reinstated. I have been assured that this will be done.

I have recommended that Liberal Jefes Politicos be appointed in the six Liberal districts of Bluefields, Jinotega, Nueva Segovia, Esteli, Chinendega, and Leon. I have been assured that this will be done.

In short I have recommended that steps be taken so far as possible to restore the political condition as it existed in Nicaragua before the Chamorro coup d'etat and I believe that so far as possible it will be done.

I hope that these steps will assure you and your army of the fairness of the United States Government and its desire to see peace, justice and freedom re-established in Nicaragua without any unfairness or favoritism towards any party but being regardful of the rights of Liberals and Conservatives alike.

Very respectfully yours,

(Signed)

HENRY L. STIMSON.

EXHIBIT 3

TIPITAPA, May 11, 1927.

General HENRY L. STIMSON, *Tipitapa*.

MY DEAR GENERAL STIMSON: It has been my expressed opinion since 1912 that free and fair elections were the one thing most needed in Nicaragua to free it from revolution and to permit its peaceful development. I have further expressed my opinion that free and fair elections could not be obtained except under supervision and with the aid of the United States. I so expressed myself to Admiral Latimer, on the U. S. S. *Rochester* in October, 1926.

It is because of this often expressed belief and the confidence that I now feel that we will get such fair election in 1928 that I shall be able to persuade my army to disarm.

Very respectfully,

(Signed)

J. M. MONCADA.

EXHIBIT 4

Telegram from Minister Eberhardt to the Secretary of State

No. 133.

MAY 12, 1927—9 P. M.

Following from Stimson:

At 4:30 this afternoon I received the following telegram from Boaco:

"The military chiefs of the Constitutionalist army assembled in session to-day have agreed to accept the terms of the declaration made by Gen. Henry L.

Stimson, Personal Representative of President Coolidge of the United States and consequently have resolved to lay down their arms. They hope that there will be immediately sent to receive these arms sufficient forces to guarantee order, liberty and property." Signed by Moncada and eleven generals including all his prominent chiefs except Sandino. I am informed that latter agreed to sign but broke his word and with small band of men left Moncada. I believe this marks definitely the end of the insurrection. Trucks with escort of marines left this morning to receive the arms.

Colonel Robert Rhea of Marine Corps was appointed to-day chief of the constabulary and has begun work of organization. After visiting Moncada's army Saturday and arranging as far as possible with Diaz Government the immediate program of conciliation and reconstruction I hope to sail for home Monday via Key West.

EXHIBIT 5

MAY 15, 1927.

His Excellency the PRESIDENT OF THE UNITED STATES OF AMERICA,

The White House, Washington, D. C.

EXCELLENCY: In order that the elections which under the constitution of Nicaragua are to be held in October, 1928, for the purpose of electing a President of the Republic and members of its National Congress shall be free, fair and impartial and not open to fraud or intimidation practiced by any of the parties contending at such election upon each other, the Government of Nicaragua requests the President of the United States to lend to it its assistance and good offices in insuring such an election. To this end, the Government of Nicaragua requests the friendly assistance of the President of the United States in preparing a proper election law in Nicaragua, in securing supervision by impartial Americans over the actual conduct of the elections, in securing American assistance to train and direct an impartial and non-partisan force of constabulary to secure law and order and prevent intimidation of voters and to in other ways secure American assistance in tranquillizing the sorely disturbed condition of the country so that such election can be fairly held.

I have the honor to submit a memorandum showing the steps which my Government suggests may be desirable or appropriate to be taken in order that the President of the United States may be able adequately to perform this great service to the Republic of Nicaragua, should he be willing to do so. The Government of Nicaragua will gladly consider the taking of any other steps on its part which may be suggested by the President of the United States as essential or desirable for the accomplishment of that purpose.

Believe me with great respect,

Yours very truly,

(Signed)

ADOLFO DIAZ,
President.

Memorandum as to suggested steps to be taken looking towards the holding of a free, fair, and impartial election in Nicaragua in October, 1928, with the assistance of the President of the United States and under the supervision of American officials suggested by him

I.

ENACTMENT OF AN ADEQUATE ELECTION LAW

(1) The President of the United States may select an expert in matters of election law to advise him as well as the Nicaraguan

Congress as to a proper electoral law to be enacted by said Congress in order to provide the means and method by which the assistance of impartial American advice and supervision can be rendered for holding Nicaraguan elections. The salary and expenses of this expert shall be borne by the Nicaraguan Government.

(2) While reserving to the President of the United States, through this expert or otherwise, to suggest modifications and changes in the electoral plan to be prescribed by this law, the following outline of the electoral system is suggested as appropriate:

(A) Under the electoral law there shall be created a National Electoral Commission which shall have full and general power to supervise the election and to prescribe regulations having the force of law for the registration of voters, the casting of their ballots, and all other matters pertaining to the election that are not covered by the electoral law. Among other powers, the National Electoral Commission shall have the exclusive right to canvass the number of votes cast at the election and to determine all questions and contests as to the regularity and legality of such votes, and their determination as to the number and legality of the votes cast shall be final and shall be reported directly to Congress for its certification and declaration of the result of the election.

(B) This Commission shall consist of three members to be suggested by the President of the United States, one such member being a Conservative, one a Liberal, recommended by the respective party organizations to which they belong, and the third, the Chairman, being an American. A majority of the Commission shall be (sufficient) to constitute a quorum and to take action on any matter but no such action or resolution of the Commission shall be valid or effective unless concurred in by the American chairman.

(C) There shall be in each Department a Departmental Election Commission composed of three members, one Conservative, one Liberal, and the Chairman, the latter being an American. These members shall be appointed by the National Electoral Commission, the Liberal and Conservative members being appointed after consultation with the local organizations of the respective parties.

(D) In each polling place, there shall be a Local Election Board composed of three members, one Conservative, one Liberal, and the Chairman, the latter being an American. These members shall be appointed by the National Electoral Commission, the Liberal and Conservative members being appointed after consultation with the local organizations of the respective parties.

(E) In the Departmental Commissions and Local Boards, a majority of the members shall be sufficient to constitute a quorum and to take action by resolution or otherwise but no such action or resolution shall be valid or effective unless concurred in by the American chairman.

II

PRESERVATION OF LAW AND ORDER FOR THE PURPOSE OF THE CONDUCT OF THE ELECTION

(1) The National Army shall be disbanded and mustered out of service contemporaneously with the disbandment of the opposing forces and the function of preserving law and order throughout the

country shall be assumed by a National Constabulary to be organized under the instruction and, so far as possible, the direction and command of American officers now in active service and detailed to this duty by the President of the United States.

(2) The National Electoral Commission, through its Chairman, shall have the right to command the services of the National Constabulary and to issue orders thereto for the purpose of preventing intimidation and fraud in the election and of preserving law and order during the various acts of registration and voting. It shall also have the right by regulation to prescribe the method under which the Departmental Election Commission and the Local Election Boards shall each have the right to command the services of members of the National Constabulary located within their jurisdiction for the similar purpose of preventing intimidation and fraud and preserving law and order for the election.

(3) In view of the disturbed condition of the country after the recent civil war and of the fact that a very considerable time will be required for the organization, instruction, and discipline of the National Constabulary, the Government of Nicaragua requests that the President of the United States will permit a sufficient force of American marines to remain in the country pending the organization and instruction of the Constabulary and during the election to reinforce the work of the Constabulary in securing an absolutely impartial election between both parties.

A. D.

EXHIBIT 6

THE WHITE HOUSE,
Washington, June 10, 1927.

His Excellency ADOLFO DIAZ, *President of Nicaragua*.

EXCELLENCY: I have received Your Excellency's letter dated May 15, 1927, requesting the friendly assistance of the President of the United States in preparing a proper election law in Nicaragua, in securing supervision by impartial Americans of the actual conduct of the elections, in securing American assistance to train and direct an impartial and nonpartisan force of constabulary to secure law and order and prevent intimidation of voters, and in other ways to secure American assistance in tranquillizing the sorely disturbed condition of the country so that elections can be fairly held. Your Excellency submitted with this letter a memorandum showing the steps which your Government suggests may be desirable or appropriate to be taken in order that the President of the United States may be able adequately to perform this great service to the Republic of Nicaragua. Your Excellency adds that the Government of Nicaragua will gladly consider the taking of any other steps on its part which may be suggested by the President of the United States as essential or desirable for the accomplishment of that purpose.

In reply I am pleased to inform Your Excellency that I shall welcome the opportunity to assist the Government of Nicaragua to hold free and fair elections at the time appointed by the Constitution. I have been much gratified at the recent settlement of the difficulties in Nicaragua brought about through the good offices of my Personal Representative, Colonel Stimson, and the wisdom and patriotism shown by the Nicaraguan Government and the Nicaraguan people

of all factions. It is my earnest desire that the peace which has now been arranged may be a permanent one, and to this end it is my desire to be of all possible assistance in the future. I am instructing the American Minister at Managua to discuss with Your Excellency the manner in which the aid and assistance of the United States can be best extended both for supervising the elections in Nicaragua and for maintaining order in the country until that time. Mr. Eberhardt has my entire confidence and will, I know, welcome this opportunity to be of service to the Nicaraguan people.

Accept, Excellency, the assurances of my most distinguished consideration.

(Signed)

CALVIN COOLIDGE.

EXHIBIT 7.

[Translation]

MANAGUA, October 19, 1928.

SEÑOR DON ADOLFO BENARD,
Granada.

MY DEAR SEÑOR BENARD: By the sentiments expressed in my letter addressed to General Emiliano Chamorro on August 12, 1916, which the newspapers of this capital published on the eighteenth of the present month of October, you will have known the ideas which since the revolution of October I have held on electoral liberty and the prerogatives of citizens.

The letter referred to ends in this manner:

I understand that your (General Chamorro's) honor, that of all the chiefs of the October revolution, the honor of the American Government itself, points to that wide and luminous path as a course of action and that the hour for deep thought and prudence has arrived for all Nicaraguans. May Liberals and Conservatives go to the civic contest with their candidate freely chosen, and may he triumph who receives the votes of the majority, without pressure and without fraud. That will be the true day of liberty, which will deserve to be engraved in marble on the altar of the fatherland.

These ideas guided my mind at Tipitapa and are certainly the characteristic feature of my political life, of my anxieties in war and in peace. As candidate of the Liberal party I maintain them still with unbreakable faith; and by means of this letter I wish to urge you, the candidate of the Conservative party, to adopt them also and that they may serve as a guide for you in the present and solemn moments of the Republic. Let there be no more fratricidal war and let freedom and order be established forever amongst us.

Now that we are witnessing the justice with which those in charge of the American supervision are proceeding, when with generous and praiseworthy earnestness they are extending us their hand in the development of Republican institutions, by means of a true and honest electoral liberty, we who desire an era of peace and of industry for Nicaragua, could agree to accept this same supervision for one or several periods more of constitutional government.

For my part I can now promise you, when the occasion arrives, that if the Liberal party wins it will pledge itself to correspond to the good will of the American Government for absolutely free elections, promising at this time, if it suits the interests of the Conservative

party, that in the subsequent Presidential election I will willingly accept the mediation of the United States in the same form and manner which the Stimson agreements established.

I offer that to you as candidate of the Conservative party to show that I always feel inclined to offer to others the same measure of justice and honesty which in every agreement has been promised to me or to mine.

Very respectfully,

(Signed)

JOSÉ MARIA MONCADA.

EXHIBIT 8

[Translation]

GRANADA, *October 20, 1928.*

General JOSÉ MARIA MONCADA,
Managua.

MY DEAR GENERAL MONCADA: I reply herewith to your courteous letter of the 19th instant which Mr. Pilar A. Ortega delivered into my hands and which I have pleasure in answering.

It is extremely gratifying to me to inform you that I am entirely in accord with your way of thinking. I understand that a stable and lasting peace, founded on the conciliation of the two historic parties into which the public opinion of Nicaragua is divided, is the most solid and efficacious support on which the prosperity of our country can rest.

That peace which we all as good Nicaraguans should endeavor to obtain, will necessarily come as the logical result of a free and honest election, in which each citizen without restrictions may cast his vote for the candidate whom his sympathies favor.

Adjusting ourselves without deviation to that rule of conduct, we will finish once for all with those lamentable internal struggles which you mention and which have cost us so much blood and so much national wealth in the past.

The American supervision has come to give us the enjoyment of that electoral freedom which without any doubt will bring with it for the welfare of all, Liberals as well as Conservatives, a long and fruitful era of national tranquillity.

I believe that we should place our entire confidence without reservations of any kind in the very worthy American representatives who are to make real and effective the liberty of suffrage in the approaching elections of November. We are under the patriotic obligation to maintain that confidence unchanged, because the fruits which we gather by strengthening our friendly relations with the United States Government, have always been and will always be abundant. I have ever thought thus as a good Conservative and as a citizen cherishing the well-being of my country.

For those reasons which I have permitted myself to express to you in the course of the present letter, I appreciate in all its importance and I embrace with enthusiasm the praiseworthy idea which you have deigned to disclose to me of maintaining free suffrage for other constitutional periods under the friendly and well intentioned mediation of the Government of the United States in the Nicaraguan electorate.

Your proposition is therefore definitely accepted, but having opened the chapter of these considerations between the two parties, so promising for the harmony of Nicaraguan citizens, it seems timely to me not to close it without also assuring other factors equally necessary for the strengthening of the basis of peace and order. I refer primarily to the economic phase which in modern politics is the most essential, and I propose to you that we agree now on extending and perfecting the Financial Plan which is now in force, in a sense to assure the honest administration and proper investment of the public funds, so that by virtue of such a system we may open up a prosperous future for the Republic, and above all may improve its credit, so that we may be able to carry out operations on which to establish a basis for the progressive development of our resources, indemnifying our citizens for the damages suffered in the past emergency and carrying out works of material progress for our country.

And as the principal thing is peace, I believe that another element which will effectively aid in maintaining it is the institution of the National Guard in the nonpartisan form which it has been given by the agreement with the Department of State of the United States. Therefore, I propose also that we agree on some form that will assure the existence and the improvement of that military organization of the Republic.

Very respectfully yours,

(Signed)

ADOLFO BENARD.

EXHIBIT 9

[Translation]

No. 64.

REPUBLIC OF NICARAGUA,
DIPLOMATIC SECTION,
National Palace, Managua, February 12, 1929.

His Excellency, CHARLES C. EBERHARDT,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

EXCELLENCY: Under special instructions from His Excellency the President I have pleasure in informing Your Excellency that my Government being desirous of laying the foundation for peace in the Republic in a firm and stable manner, by the practice of free institutions, has arrived at an agreement with the Honorable Supreme Court of Justice, by which this High Tribunal, in the exercise of the powers which are conferred on it by the Electoral Law of March 20, 1923, will appoint a citizen of the United States of America, previously designated by His Excellency the President of the United States, as President of the National Board of Elections, in order to assure complete impartiality of this official, and as the primary part of a general plan aiming at the attainment of truly free elections in the future.

The President desires to obtain in a permanent way the valuable cooperation of the United States in the stability of the Republic in Nicaragua; and to this end, I venture to request that Your Excellency be so kind as to bring to the knowledge of the enlightened Government at Washington the aims above mentioned and to op-

portunately urge the designation of the American citizen to preside over the National Board of Elections.

I am also authorized to advise Your Excellency that the Government of the Republic will pay to the said President a salary of eight thousand dollars a year.

With confidence that Your Excellency's enlightened Government will agree to continue lending us its assistance for such noble ends, I am pleased to convey to Your Excellency in advance the deep appreciation of my Government.

I avail myself of this opportunity to express to Your Excellency the renewed assurance of my highest consideration.

(Signed) M. CORDERO REYES.

EXHIBIT 10

Telegram from the Secretary of State to the American Minister

MANAGUA, NICARAGUA, May 13, 1929—6 p. m.

No. 71.

Before reaching a definite decision regarding the designation of an American citizen to act as President of the National Board of Elections, I should like to have more complete information regarding the facilities which would be accorded to this official in performing his duties. It would be desirable, in order to assure full impartiality in the conduct of the elections, to have Americans also as Chairmen of the Departmental Electoral Boards, and it is believed that each of these Americans, to assure efficient administration, would require two American assistants. With the necessary office force in the Central Board a total force of approximately forty-five Americans would be needed. The expense of an election conducted with such an organization would, of course, be materially less than the expense of the 1928 election, when a very much more elaborate organization was required.

If an American nominated by this Government is to assume responsibility in connection with the elections it would be necessary that the existing law should be so amended as to give the Departmental and National Boards the same authority to regulate the electoral machinery and to decide electoral appeals and contests and other disputes which the electoral boards enjoyed in 1928; and also so as to give the Chairman of the National Board authority to call upon the Chief of the National Guard for assistance in electoral matters if he should find it necessary to do so.

I do not think that it would be either necessary or desirable for the American officials to reside permanently in Managua, as their services would be needed only for a few months before and immediately after each biennial election. It would obviously be more economical for the Nicaraguan Government not to employ them on a full time basis.

If President Moncada concurs in the views above set forth you will be authorized to discuss in more detail with the President the necessary changes in the electoral law. Further instructions will be sent to you for this purpose.

EXHIBIT 11

Telegram from Minister Hanna to the Secretary of State

MAY 16, 1929, 11 a. m.

No. 138.

President Moncada concurs in the views set forth in the Department's 71, May 13, 6 p. m., and is ready to discuss the necessary changes in the electoral law. He said the President of the National Board of Elections should reside permanently in Managua and would like him designated in ample time to assist in the municipal elections in November of this year.

The President said he is convinced that American supervision of elections in Nicaragua will be essential for many years. He desires therefore to establish the supervision on an enduring basis and is considering the advisability of making changes in the Constitution to insure greater certainty in this respect, although he believes the situation at present can be adequately met with changes in the electoral law. He said the Constitution does not preclude the appointment of foreigners as presidents of electoral boards but that it might be desirable to make specific provision in the Constitution for such appointments. He assured me that the Supreme Court will appoint the President of the National Board as soon as his name is submitted.

EXHIBIT 12

Telegram No. 39 from the Secretary of State to the American Minister

MANAGUA, NICARAGUA, May 8, 1930—7 p. m.

No. 39.

Please inform President Moncada that the President has designated Captain Alfred Wilkinson Johnson, United States Navy, for appointment as Chairman of the National Board of Elections of Nicaragua, and suggest that his appointment to that position by the Supreme Court of Justice be effected as soon as practicable. It is contemplated that Captain Johnson will arrive at Managua in the early part of July.

As Captain Johnson is an official of the United States Navy, he will not, of course, receive a salary from the Government of Nicaragua for his services, but it is expected that he will be given his necessary travelling expenses and a suitable per diem while on this mission. The necessary arrangements to this end can be made after Captain Johnson reaches Nicaragua.

You may also inform President Moncada that the Department is considering necessary changes in the 1923 electoral law along the lines mentioned in its telegram 71 of May 13, 6 p. m., 1929, which revision the Department understands is concurred in by President Moncada, as reported in the Legation's telegram No. 138, dated May 16, 11 a. m., 1929.

EXHIBIT 13

Telegram from Minister Eberhardt to the Secretary of State

MAY 8, 1927—4 P. M.

No. 128.

President Diaz, acting upon authority conferred upon him by the laws which provide for the formation of a Nicaraguan constabulary, has today addressed a note to me requesting that an American officer be designated to instruct and command that organization and that such officer be authorized to name the additional American and Nicaraguan officers considered necessary to form the larger non-partisan constabulary frequently mentioned in Legation telegrams.

Admiral Latimer states that he is ready, if authorized, to detail such an officer and assistants from among marines now stationed in Nicaragua. It is believed that such authority should be granted as the best means of bringing early tranquility to Nicaragua under peace terms now being considered and also to reduce to a minimum the number of marines necessary for such results. Stimson and Admiral concur.

EXHIBIT 14

MAY 9, 1927.

MY DEAR MR. PRESIDENT: The Minister at Managua informs me by telegraph that President Diaz, acting under authority conferred upon him by the laws which provide for the formation of a Nicaraguan constabulary, has addressed a note to the Legation requesting that an American officer be designated to instruct and command that organization, and that such officer be authorized to name the additional American and Nicaraguan officers considered necessary to form a non-partisan constabulary.

Admiral Latimer states that he is ready, if authorized, to detail such an officer and assistants from among the marines now stationed in Nicaragua, and recommends that such authorization be granted.

I am of the opinion that this would be the best means of bringing about early tranquility in Nicaragua under the peace terms now being considered, and that in time this would assist in making it possible to reduce the number of American marines necessary to maintain order to a minimum, it being understood that the National Guard will form a nucleus for building up a non-partisan body to assist in preserving order during the supervised elections of 1928.

I am, my dear Mr. President,

Faithfully yours,

(Signed)

FRANK B. KELLOGG

The PRESIDENT,
The White House.

EXHIBIT 15

THE WHITE HOUSE
Washington, May 10, 1927.

MY DEAR MR. SECRETARY: The President directs me to acknowledge your letter of May 9th in regard to the request made by President Diaz that an American officer be designated to instruct and

command the Nicaraguan constabulary, and that such officer be authorized to name the additional American and Nicaraguan officers considered necessary to form a non-partisan constabulary.

The President asks me to say to you that he approves the granting of this request.

Sincerely yours,

(Signed)

EVERETT SANDERS,
Secretary to the President.

Honorable FRANK B. KELLOGG,
Secretary of State.

EXHIBIT 16

Telegram from the Secretary of State to the American Minister

No. 87. MANAGUA, NICARAGUA, May 11, 1927.

Your 128, May 8, 4 p. m.

The President approves President Diaz' request and Admiral Latimer will be instructed accordingly by the Navy Department.

EXHIBIT 17

[Translation]

DECEMBER 10, 1930.

Sr. Jefe Director of the Guardia Nacional,
General DOUGLAS C. McDOUGAL,
Campo de Marte.

DEAR GENERAL McDOUGAL: Because of the economic crisis which exists in Nicaragua it has been believed necessary to reduce the Guardia Nacional to 160 officers and 1,650 men whose maintenance will be as follows:

For maintenance and rations.....	C\$310, 546. 00
Pay of officers.....	204, 250. 00
Pay of enlisted.....	284, 856. 00

making a total of C\$799,652. As an increase to this amount C\$15,000 will be allotted annually for the Military Academy and C\$40,000 annually for the maintenance of prisons.

The annual salaries of all officers who enter the Guardia in the future will be based on the following table:

Jefe Director.....	C\$3, 000. 00
Chief of Staff and Colonels.....	2, 100. 00
Majors.....	1, 800. 00
Captains.....	1, 500. 00
First Lieutenants.....	1, 080. 00

As this reduction has been studied for some time, I believe that this scale of salaries will be put into practice with respect to all officers who enter the Guardia on or after December 1, 1930.

In view of this it is desirable that you submit to me immediately your plan for the reduction of the cost of the Guardia and of the personnel in accordance with the terms of this letter.

It is of great importance that this reduction be made as conditions permit, keeping in view that it is necessary to select the men who are to be discharged. In relation to this last point, I beg you to send me a list of the Guardias discharged who you consider good and capable to perform effectively the duties of Jueces de Mesta or Jueces de Cantones.

With expressions of consideration, etc.,
(Signed)

J. M. MONCADA.

EXHIBIT 18

AGREEMENT BETWEEN THE UNITED STATES AND THE REPUBLIC OF NICARAGUA.

Whereas the Republic of Nicaragua is desirous of preserving internal peace and order and the security of individual rights, and is desirous of carrying out plans for the maintenance of domestic tranquillity and the promotion of the prosperity of the Republic and its people;

And whereas the assistance and co-operation of the Government of the United States is deemed essential to an early realization of the measures to be adopted;

And whereas the United States is in full sympathy with these aims and objects of the Republic and is desirous of contributing in all proper ways to their attainment the undersigned duly authorized thereto by their respective Governments have agreed as follows:

I

The Republic of Nicaragua undertakes to create without delay an efficient constabulary to be known as the Guardia Nacional de Nicaragua urban and rural composed of native Nicaraguans, the strength of which and the amounts to be expended for pay, rations, and expenses of operation, et cetera, shall be as set forth in the following table:

COMMISSIONED PERSONNEL		Per annum (\$ Gold)
1 Brigadier General.....		\$3,000.00
1 Colonel, Chief of Staff.....		2,500.00
3 Colonels (Line) at \$2,400.00 per annum.....		7,200.00
1 Colonel, Quartermaster.....		2,400.00
1 Colonel, Medical.....		2,400.00
4 Majors (Line) at \$2,100.00 per annum.....		8,400.00
1 Major, Paymaster.....		2,100.00
1 Major, General Headquarters Inspector.....		2,100.00
1 Major, Law Officer.....		2,100.00
2 Majors, Medical, at \$1,200.00 per annum.....		4,200.00
10 Captains, at \$1,800.00 per annum.....		18,000.00
2 Captains, Medical, at \$1,800.00 per annum.....		3,600.00
20 First Lieutenants, at \$1,200.00 per annum.....		24,000.00
2 First Lieutenants, Medical, at \$1,200.00 per annum.....		2,400.00
20 Second Lieutenants, at \$900.00 per annum.....		18,000.00
3 Second Lieutenants, Medical, at \$900.00 per annum.....		2,700.00
20 Student Officers (Cadets), at \$600.00 per annum.....		12,000.00
93		\$117,100.00

ENLISTED PERSONNEL

	Per annum (\$ Gold)
4 Sergeants Major, at \$40.00 per month.....	1, 920. 00
10 First Sergeants, at \$35.00 per month.....	4, 200. 00
10 Q. M. Sergeants, at \$30.00 per month.....	3, 600. 00
60 Sergeants, at \$25.00 per month.....	18, 000. 00
120 Corporals, at \$18.00 per month.....	25, 920. 00
20 Field Musics, at \$14.00 per month.....	3, 360. 00
840 Privates, at \$12.00 per month.....	120, 960. 00
1, 064	\$177, 960. 00

BAND

	Per annum (\$ Gold)
1 Leader.....	1, 200. 00
1 Assistant Leader.....	900. 00
10 Musicians, 1st class, at \$30.00 per month.....	3, 600. 00
10 Musicians, 2nd class, at \$25.00 per month.....	3, 000. 00
15 Musicians, 3rd class, at \$20.00 per month.....	3, 600. 00
37	\$12, 300. 00

ENLISTED MEDICAL PERSONNEL

	Per annum (\$ Gold)
1 First Sergeant, at \$35.00 per month.....	420. 00
4 Sergeants, at \$25.00 per month.....	1, 200. 00
20 Corporals, at \$18.00 per month.....	4, 320. 00
10 Privates, at \$12.00 per month.....	1, 440. 00
35	\$7, 380. 00

OPERATIONS AND MAINTENANCE

Civil employees; uniforms and clothing; Arms equipment and target practice; remounts and forage; Motor vehicles and maintenance; repairs and replacements; Transportation of Supplies and Troops; Maps, stationery and office supplies; Intelligence service; rent, repairs and construction of barracks; Gasoline, kerosene; Lights; Tools and miscellaneous expenditures for operations and maintenance of the Constabulary.....	\$200, 000. 00
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RATIONS

Expenses of procuring and preparing rations for 1136 enlisted at \$0.30 per diem.....	\$124, 392. 00
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PRISONS AND PENITENTIARIES

Operation and Maintenance.....	\$40, 000. 00
Medical supplies and Maintenance of Constabulary Hospitals, Prison Dispensaries, etc.....	10, 000. 00
Grand total.....	\$689, 132. 00

The foregoing provisions shall be regarded as the minimum requirements for the Guardia Nacional de Nicaragua. If the condition of the Nicaraguan Government's finances shall so warrant, the strength of the Guardia Nacional, commissioned and enlisted, and the expenses thereof may be increased upon the recommendation of the Chief of the Guardia Nacional and upon the consent in writing of the President of Nicaragua.

If the condition of the Nicaraguan Government's finances shall so warrant a suitable Coast Guard and a suitable Aviation Unit may upon the recommendation of the Chief of the Guardia Nacional de Nicaragua and upon the consent in writing of the President of Nicaragua be made a part of the Guardia Nacional de Nicaragua,

similarly officered and manned with appropriate ranks and subject in the same manner to regulations and discipline as provided herein for the personnel of the Guardia Nacional de Nicaragua.

II

The Guardia Nacional de Nicaragua shall be considered the sole military and police force of the Republic, clothed with full power to preserve domestic peace and the security of individual rights. It shall have control of arms and ammunition, military supplies and supervision, of the traffic therein throughout the Republic. It shall have control of all fortifications, barracks, buildings, grounds, prisons, penitentiaries, vessels, and other government property which were formerly assigned to or under the control of the Army, Navy, and Police Forces of the Republic. It shall be subject only to the direction of the President of Nicaragua; all other officials desiring the services of the Guardia Nacional de Nicaragua shall be required to submit requests through the nearest official of that organization. The Guard of Honor for the Palace of the President shall be a company of selected men and officers from the personnel of the Guardia Nacional, and will wear distinctive insignia while employed on this service.

III

All matters of recruiting, appointment, instruction, training, promotion, examination, discipline, operation of troops, clothing, rations, arms and equipment, quarters and administration, shall be under the jurisdiction of the Chief of the Guardia Nacional.

IV

Rules and regulations for the administration and discipline of the Guardia Nacional de Nicaragua, Prisons and Penitentiaries, shall be issued by the Chief of the Guardia Nacional after being approved by the President of Nicaragua. Infraction of these rules and regulations by members of the Guardia Nacional may be punished by arrest and imprisonment, suspension from duty without pay, forfeiture of pay, or dismissal, under regulations promulgated by the Chief of the Guardia Nacional and approved by the President of Nicaragua.

V

Other offenses committed by members of the Guardia Nacional de Nicaragua shall be investigated by officers of the Guardia Nacional as directed by the Chief of the Guardia Nacional. If it should appear upon investigation that an offense has been committed, the offender will be turned over to the civil authorities.

VI

Courts-martial constituted under the rules and regulations of the Chief of the Guardia Nacional may try native Nicaraguan officers and enlisted men of the Guardia for infraction of the rules and regulations. The findings of the courts-martial of the Guardia Nacional after approval of the Chief are final, and not subject to appeal or

review except by the Supreme Court of Nicaragua and then, only in questions of excess of power or questions of jurisdiction.

VII

Persons violating the Regulations (if there is no civil law) or the Laws (if there is a civil law) governing traffic in arms, ammunition and military stores, shall be punished by a fine of from fifty to one thousand cordobas or imprisonment of from ninety days to five years, or both; for which purpose the Government of Nicaragua will present to Congress a project of law to amend the criminal laws in the sense indicated.

VIII

The Guardia Nacional de Nicaragua shall be under the control of the President of Nicaragua and all orders from him pertaining to the Guardia Nacional shall be delivered to the Chief thereof. All other civil officials desiring protection or the services of the Guardia Nacional will make application to the senior officer of the Guardia Nacional in that locality.

IX

An adequate amount as provided in Article I of this Agreement shall be appropriated annually to defray the expenses for pay, allowances, equipment, uniforms, transportation, administration and other current expenses of the Guardia Nacional de Nicaragua. Allotments for the various needs of the Guardia Nacional shall be made from this sum by the Chief of the Guardia Nacional.

X

Reports of expenditures shall be made by the Chief of the Guardia Nacional as directed by the President of Nicaragua and audited in accordance with the law.

Savings effected under any title may be expended under any other title upon written approval of the Chief of the Guardia Nacional.

XI

The laws necessary to make effective the above provisions shall be submitted to the legislative body of Nicaragua.

XII

In consideration of the foregoing the Government of the United States in virtue of authority conferred on the President by the Act of Congress approved May 19, 1926, entitled "An Act to authorize the President to detail officers and enlisted men of the United States Army, Navy and Marine Corps to assist the governments of the Latin-American Republics in military and naval matters" undertakes to detail officers and enlisted men of the United States Navy and Marine Corps to assist the Government of Nicaragua in the organizing and training of a constabulary as herein provided.

All American officers serving with the Guardia Nacional of Nicaragua shall be appointed from personnel of the United States Navy and Marine Corps by the President of Nicaragua upon nomination of the President of the United States. They will be replaced by Nicaraguans when the latter have successfully completed the course of instructions prescribed by the Chief of the Guardia Nacional de Nicaragua and have shown by their conduct and examination that they are fit for command.

Officers and enlisted men of the United States Navy and Marine Corps serving with the Guardia Nacional will not be tried by Nicaraguan civil courts or courts-martial but will be subject to trial by court-martial under the laws of the United States for the government of the Navy.

In witness whereof, the undersigned have hereunto signed their names and affixed their seals in duplicate, in the city of Managua, this twenty-second day of December, 1927.

DANA G. MONCADA,
CARLOS LAUDRA PASA.

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